IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 5289 of 2005

Between:

A.M.Basa, s/o Khaja Peer,
Barbar Street, P.O.Porumsnnila, Cuddapah District.

..... PETITIONER

AND

1 The Inspector General, CISF, Eastem Sector,

HQ 19, Telegraph Colony, Kidwaipuri, Patna-01.
2 The Deputy Inspector General, CISF, BCCL

Dhanbad, Koyala Nagar, Dhanbad, Jharkhand.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of mandamus or any other appropriate writ, declaring the order dt.09-11-2004 passed by 2nd respondent as illegal, arbitrary and unconstitutional and consequently direct the 2nd respondent to decide the appeal filed by petitioner on merits or pass any other order or orders as this Hon'ble Court may deem fit and proper in the interests of justice.

Counsel for the Petitioner: MR.G.ANANDAM

Counsel for the Respondent Nos.1 and 2: MR.AKHTER AHMED JABRI

The Court at the admission stage made the following:

ORDER:

Declaring the Order dated 09.11.2004, passed by the

2nd respondent, as illegal and arbitrary, the present writ petition is filed.

Heard the learned Counsel for the petitioner and the learned standing Counsel for the respondents.

As seen from the impugned order dated 09.11.2004, against the Provisioning order dated 02.07.1998, the petitioner has not preferred any appeal, and hence the revision petition of the petitioner was rejected. According to the learned Counsel for the petitioner, a separate appeal has been preferred by the petitioner on 05.11.92 against the Order dated 02.07.1998. But there is no material to show that the petitioner filed an appeal before the appellate authority on 05.11.1992.

In the circumstances, the order dated 09.11.2004, passed by the 2nd respondent, does not suffer from any legal infirmities, so as to call for interference of this Court. The writ petition is devoid of merit.

Therefore, the Writ Petition is dismissed. No order as to costs.

Dated: 16.03.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Inspector General, CISF,

Eastern Sector HQ.19,

Telegraph Colony, Kidwaipuri,

Patna-01

2. The Deputy Inspector General, CISF,

BCCL Dhanbad, Koyla Nagar,

Dhanbad, Jharkhand

3. Two CD copies

4. 1 CC to MR.AKHTER AHMED JABRI

*Form-NIC-OGS/WP{**RS**}*